IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

Bail Appl..No. 3025 of 2007()

LP.273/2006 of J.M.F.C.-II, KOLLAM
CRIME NO.53/1999 OF PALLITHOTTAM POLICE STATION

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: PETITIONERS/ACCUSED.

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1. BHAVYAN, S/O. KOCHUCHERUKKAN,
   KADAPPURAM PURAMBOKKU, MOOTHAKKARA, KOLLAM (A3).

2. NELSON, S/O. VALLAYADI,
   KADAPPURAM PURAMBOKKU, MOOTHAKKARA, KOLLAM (A4).

3. SEKHAR, S/O. NAZRATH,
   SETTLEMENT COLONY, MOOTHAKKARA, KOLLAM (A5).

4. JOBHAI, S/O. NJANAPRAKASH,
   KADAPPURAM PURAMBOKKU, MOOTHAKKARA, KOLLAM (A6).

5. JAGADEESH, S/O. C.R.DASAN,
   KADAPPURAM PURAMBOKKU, MOOTHAKKARA, KOLLAM (A8).

6. KRISTAFER, S/O. ANTONY,
   KADAPPURAM PURAMBOKKU, MOOTHAKKARA, KOLLAM (A10).

BY ADV. SRI.C.RAJENDRAN

RESPONDENTS: COMPLAINANT.

STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
PALLITHOTTAM POLICE STATION, THORUGH THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 3025/2007

Dated this 23rd day of May, 2007

O R D E R

Petitioners who are the accused in Crime No.53/1999 of Pallithottam Police Station for offences punishable under Sections 143, 147, 148, 452, 427 and 375 IPC read with section 149 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioners before the J.F.C.M-II, Kollam, the case against the petitioners has been transferred to the Long Pending Case Register as L.P. No.273/2006. Admittedly, non-bailable warrants of arrest are pending against the petitioners. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioners should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate and file applications for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which such applications are filed after

considering the explanation offered by the petitioners for their previous non-appearance.

With the above observation this application is disposed of .

V.RAMKUMAR,
JUDGE

mrcs